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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,658	12/20/2001	James Michael Shumpert	384.7509USU	1146

7590 02/11/2008
Paul D. Greeley, Esq.
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
10th Floor
One Landmark Square
Stamford, CT 06901-2682

EXAMINER

NGUYEN, TAN D

ART UNIT	PAPER NUMBER
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3629

MAIL DATE	DELIVERY MODE
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02/11/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/027,658

Applicant(s)

SHUMPERT, JAMES MICHAEL

Examiner

Tan Dean D. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/20/01 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Amendment

The amendment of 11/8/07 has been entered. Claims 1-9 (method), 10-18 (system) are pending and rejected as followed.

Claim Rejections - 35 USC § 103

1. **Claims 1-9 (method), 10-18 (system) are rejected under 35 U.S.C. 103(a) as being unpatentable over (1) Applicant's Admitted Prior Art (AAPA) in view of (2) ROSS or vice versa.**

As of 11/8/2007, claim 1 as followed:

1. (currently amended) A computer-implemented method for determining authenticity of a business partner in response to a request of a user comprising:

- (a) receiving a request of a user to determine authenticity of a business partner;
- (b) receiving an identity of said business partner from said user;

(c) matching said identity of said business partner to a business data record of a business that is one of a plurality of businesses by searching at least one database for said business data record having at least one data attribute that matches said identity, and

(d) processing at least one said data attribute of the matched said business data record according to a set of authentication rules to determine if said business partner is authentic, wherein said at least one data attribute represents at least one credential of said business partner; and

(e) notifying said user of the results.

AAPA, as cited on page 1, line 8 to page 2, line 14, fairly teaches current method for determining authenticity of a business partner in response to a request of a user in an off-line or manual technique {see page 1, lines 30-31 "*Current methods Use an off-line technique...*"}. AAPA fairly teaches the claimed invention except for carrying out using a computer or "computer-implemented" as shown in the preamble and carrying out step (d) according to a set of authentication rules.

In a similar method for verification of user authentication, ROSS fairly teaches a computer-implemented method for a subject or data remote authentication submitted by a remote user to determine whether the subject/data is authenticate (or verification of requested subject /data) and according to a set of authentication rules (d) {see [0004], [0008], [0014], [0025][0026], Fig. 1. Note that ROSS also discloses the carrying out the steps online in the case of Web forms {see [0008]}. It would have been obvious to modify the teachings of AAPA to include computer-implemented and authentication rules as taught by ROSS to obtain well known benefits of the online process (remote uses or anywhere) and convenience such as quick response.

Vice versa, the teachings of ROSS is cited above. It would have been obvious to modify the subject/data request from a client/user of ROSS wherein the subject/data is about an authenticity of a business partner as taught by AAPA as mere applying the same authentication/verification techniques to other type of subject/data or requested subject/data from the user or wherein the function or intended use of the subject/data is for authentication of a business partner.

As for dep. claim 2 (part of 1 above) which deals with automation parameters, this is taught in ROSS [0008]. Note that the automation step is well known step and is taught in GUSTAFSON col. 2, lines 50-55, or would have been obvious to a skilled artisan to do so to improve efficiency. See *In re Venner*, 120 USPQ 192, CCPA 1958.

As for dep. claims 3-5 (part of 1 above) which deals with well known computer data entry parameters, i.e. standard template for entry of data or filling out a form, this is taught in ROSS [0008].

As for dep. claim 6 (part of 1 above) which deals with well known authentication rules parameter, i.e. types of rules such as current transactions with trade reference, etc., this is fairly taught in ROSS [0004-0005][0014-0016].

As for dep. claim 7 (part of 1 above) which calls for the step of presenting a registration template, this is taught in ROSS Fig. 2, [0014].

As for dep. claims 8-9 (part of 1 above) which deals with well known matching parameters, i.e. other attributes such as license, professional membership, etc., these are fairly taught in ROSS [0004, 0008, 0014, 0021, 0034], Fig. 2. Moreover, this varies with the type of request, business entity, etc., and the selection of the desired information is within the knowledge of the skilled artisan, an experienced businessperson with many years of practical experience. Moreover, this is non-functional descriptive material (information) and generally receives no patentable weight unless there is a step for carrying out a transaction.

As for independent system claims 10-18, which are merely the system to carry out the method claims 1-9 as cited above, they are rejected over the system/element to

carry out each respective step of independent claim 1 and dep. claims 11-18 as rejected above. Alternatively, the set up of a respective system to carry out the same method claim as shown in claim 1 would have been obvious to a skilled artisan. Figs. 1-2, [0008] of ROSS is a typical computer system for carrying out the method steps as shown in steps (a)-(e) above.

Response to Arguments

2. Applicant's arguments, see paper filed 11/8/07, with respect to the rejections of claims 1-18 have been fully considered and are persuasive. The rejections of claims 1-18 have been withdrawn.
3. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection as cited above.
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 2002/0091945, by Ross, teaches verification engine for user Authentication with various authentication rules, etc. teaches similar limitations as in the claimed invention and is cited here for applicant's awareness of potential use in the future if needed.

No claims are allowed.

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5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through private PAIR only. For more information about the PAIR system, see <http://pair-direct@uspto.gov>. Should you have any questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

In receiving an Office Action, it becomes apparent that certain documents are missing, e. g. copies of references, Forms PTO 1449, PTO-892, etc., requests for copies should be directed to Tech Center 3600 Customer Service at (571) 272-3600, or e-mail CustomerService3600@uspto.gov.

Any inquiry concerning the merits of the examination of the application should be directed to Dean Tan Nguyen at telephone number (571) 272-6806. My work schedule is normally Monday through Friday from 6:30 am - 4:00 pm. I am scheduled to be off every other Friday.

Should I be unavailable during my normal working hours, my supervisor John Weiss can be reached at (571) 272-6812.

The main FAX phone numbers for formal communications concerning this application are (571) 273-8300. My personal Fax is (571) 273-6806. Informal communications may be made, following a telephone call to the examiner, by an informal FAX number to be given.

dtn
February 3, 2008

/Tan Dean D. Nguyen/
Primary Examiner, Art Unit 3629